

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

U.S.A. DAWGS, INC.,

Case No. 2:17-CV-2054 JCM (NJK)

Plaintiff(s),

ORDER

V.

CROCS, INC., et al.,

Defendant(s).

Presently before the court is the matter of *U.S.A. Dawgs, Inc. v. Crocs, Inc.*, case no. 2:17-cv-02054-JCM-NJK.

The court is presently considering defendant Crocs, Inc.’s (“Crocs”) third motion for sanctions. (ECF No. 53). However, the court finds that Crocs has failed to adequately discuss the “lodestar” and Rule 54-14(b) factors pertaining to awards of attorney’s fees.

[A] motion for attorney's fees must include the following in addition to those matters required by Fed. R. Civ. P. 54(d)(2)(B):

- (1) A reasonable itemization and description of the work performed;
- (2) An itemization of all costs sought to be charged as part of the fee award and not otherwise taxable under LR 54-1 through 54-13;
- (3) A brief summary of:
 - (A) The results obtained and the amount involved;
 - (B) The time and labor required;
 - (C) The novelty and difficulty of the questions involved;
 - (D) The skill requisite to perform the legal service properly;
 - (E) The preclusion of other employment by the attorney due to acceptance of the case;
 - (F) The customary fee;
 - (G) Whether the fee is fixed or contingent;
 - (H) The time limitations imposed by the client or the circumstances;
 - (I) The experience, reputation, and ability of the attorney(s);
 - (J) The undesirability of the case, if any;
 - (K) The nature and length of the professional relationship with the

client;
(L) Awards in similar cases; and
(M) Any other information the court may request.

LR 54-14(b).

Therefore, the court hereby orders Crocs to submit a supplemental brief containing a full discussion of all the required factors, including those already discussed in previous motions.

Accordingly,

IT IS ORDERED THAT Crocs shall file a supplemental brief within fourteen (14) days from the date of this order discussing the Rule 54-14(b) factors. Failure to follow the relevant federal or local rules pertaining to motions for attorney's fees will result in denial of the underlying motion.

IT IS FURTHER ORDERED that plaintiff U.S.A. Dawgs, Inc. shall have seven (7) days thereafter to file a response to the supplemental brief. The response may only pertain to the Rule 54-14(b) factors discussed in Crocs' supplemental brief.

IT IS SO ORDERED.

DATED February 13, 2019.

Gene C. Mahan
UNITED STATES DISTRICT JUDGE